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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF (PSG)

**DECLARATION OF KEVIN ALMEROTH  
IN SUPPORT OF CISCO'S OPPOSITION  
TO ARISTA'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

1 I, Kevin Almeroth, declare as follows:

2 1. I am a Professor in the Department of Computer Science at the University of  
3 California, Santa Barbara. I hold three degrees from the Georgia Institute of Technology: (1) a  
4 Bachelor of Science degree in Information and Computer Science (with minors in Economics,  
5 Technical Communication, and American Literature) earned in June, 1992; (2) a Master of  
6 Science degree in Computer Science (with specialization in Networking and Systems) earned in  
7 June, 1994; and (3) a Doctor of Philosophy (Ph.D.) degree in Computer Science (Dissertation  
8 Title: Networking and System Support for the Efficient, Scalable Delivery of Services in  
9 Interactive Multimedia Systems, minor in Telecommunications Public Policy) earned in June,  
10 1997. I submit this declaration in support of Plaintiff Cisco Systems, Inc.'s ("Cisco") Opposition  
11 to Arista's Motion for Partial Summary Judgment. I make this declaration based on my own  
12 personal knowledge. If called as a witness, I could and would testify competently to the matters  
13 set forth herein.

14 2. I have been retained to provide my opinions on issues related to Cisco's  
15 copyrighted works and the infringement of certain Cisco copyrights by Arista Networks, Inc.  
16 ("Arista").

17 3. Attached hereto as Exhibit 1 is a true and correct copy of the opening expert report  
18 ("Almeroth Opening Report") I prepared in this action, which was signed on June 3, 2016 and is a  
19 true and correct expression of my opinions based on the facts I currently know. The Almeroth  
20 Opening Report also provides a more detailed description of my qualifications and experience,  
21 including a CV which is attached to Exhibit 1 as Exhibit A.

22 4. Attached hereto as Exhibit 2 is a true and correct copy of the rebuttal expert report  
23 ("Almeroth Rebuttal Report") I prepared in this action, which was signed on June 17, 2016 and is  
24 a true and correct expression of my opinions based on the facts I currently know. In the Almeroth  
25 Rebuttal Report, I analyzed and respond to the expert reports submitted on June 3, 2016 on behalf  
26 of Arista by John R. Black Jr., Cate M. Elsten, and William M. Seifert.

5. Attached hereto as Exhibit 3 is a true and correct copy of “Exhibit Copying 6 – Evidence of Help Description Copying” that I submitted with the Almeroth Opening Report and is a true and correct expression of my opinions based on the facts I currently know relating to Arista’s copying of “HelpDesc” expressions including citations to Arista and Cisco source code.

6. Attached hereto as Exhibit 4 is a true and correct copy of “Exhibit Copying 4 – Evidence of Mode/Prompt Copying” that I submitted with the Almeroth Opening Report and is a true and correct expression of my opinions based on the facts I currently know relating to Arista’s copying of Cisco’s modes and prompts.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed in Santa Barbara, CA, on July 14, 2016.

Kevin C Almeroth  
Kevin Almeroth